

Legislative BulletinMarch 8, 2011

Contents:

H.R. 570 – The Dental Emergency Responder Act of 2011

H.R. 525 – The Veterinary Public Health Amendments Act of 2011

**H.R. 570 – The Dental Emergency Responder Act of 2011
(Burgess, R-TX)**

Order of Business: H.R. 570 is scheduled to be considered on Tuesday, March 8, 2011 under suspension of the rules requiring two-thirds majority vote for passage.

Summary: H.R. 570 amends the responsibilities of federal agencies tasked with developing and implementing the National Health Security Strategy under the Public Health Service Act and the National Response Plan under the Homeland Security Act of 2002. It enhances the roles of dentists and allied dental personnel in the nation’s disaster response framework.

Additional Background: The term “medical responder” as referenced in relevant disaster-related federal law does not include dentists, allied dental personnel, or dental facilities. This bill provides these dental-related medical providers with the statutory authority to participate in supporting medical and public health responses to disasters. The bill allows states to incorporate dentists and dental facilities into their planning. It also specifies that dental schools are eligible to receive federal public health and medical response training funds and encourages stronger collaboration with the Department of Health and Human Services in developing the nation’s medical surge capacity.

Committee Action: H.R. 570 was introduced by Rep. Michael Burgess (R-TX) on February 9, 2011 and referred to the Committee on Energy and Commerce. The Subcommittee on Health marked up the bill on February 11, 2011 and forwarded it favorably by voice vote to the full Committee. On February 15, 2011, the full Committee ordered H.R. 570 favorably reported to the House.

Outside Groups Supporting the Bill: The American Dental Association, 13 other national dental organizations, and 45 state dental organizations support this bill.

Administration Position: There is no Statement of Administration Policy (SAP).

Cost to Taxpayers: The Congressional Budget Office (CBO) issued a cost estimate for H.R. 570 on February 25, 2011. The estimate stated that implementing the bill would

have a negligible impact on federal spending over the next five years. Any additional spending would be subject to the availability of appropriated funds.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill incorporates dentists and dental-related providers within the framework of any federal disaster related response.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No. H.R. 570 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not impose any costs on the budgets of State, local, or tribal governments.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 570 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of Rule XXI.

Constitutional Authority: The Constitutional Authority Statement published in the Congressional Record upon introduction of the bill states: “Congress has the authority to provide this coordination under the power to ‘provide for the common defence’ as articulated in the Preamble as well as the power of Congress to make rules for the government, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.”

RSC Staff Contact: Joe Murray, joe.murray@mail.house.gov, (202) 225-6168.

H.R. 525 – The Veterinary Public Health Amendments Act of 2011 (*Baldwin, D-WI*)

Order of Business: H.R. 525 is scheduled to be considered on Tuesday, March 8, 2011 under suspension of the rules requiring two-thirds majority vote for passage.

Summary: According to the Committee Report, the stated purpose of the bill is to increase the number of veterinarians trained in veterinarian public health. H.R. 525 seeks to accomplish this purpose by amending sections 765 and 776 of the Public Health Service Act to allow entities that provide education and training in veterinary public health to apply for and receive grant assistance from the Public Health Workforce Grant program. It also allows individuals who will receive or have received a degree in veterinary public health to apply for and receive loan assistance under the Public Health Workforce Loan Repayment Program, a federal loan repayment program created in Obamacare.

The bill also defines in new section 799B the term “veterinary public health” to include veterinarians engaged in one or more of the following areas to the extent such areas have an impact on human health: biodefense and emergency preparedness, emerging and reemerging infectious diseases, environmental health, ecosystem health, pre-harvest and post-harvest food protection, regulatory medicine, diagnostic laboratory medicine, veterinary pathology, biomedical research, practice of food animal medicine in rural areas, and government practice.

Potential Conservative Concerns: A similar provision was previously included in the House-passed government takeover of our health care industry, the “Affordable Health Care for America Act” ([H.R. 3962](#)). Some conservatives may see H.R. 525 as attempt to reinstate a provision that was not included in the Senate’s Patient Protection and Affordable Care Act (“Obamacare,” P.L. 111-148) or the Health Care and Education Reconciliation Act of 2010 (“fix it” bill, P.L. 111-152). Given the record deficits and debt the nation is facing, some conservatives may argue if the federal programs H.R. 525 is amending are the types of programs that conservatives should be looking to terminate as opposed to expanding eligibility for veterinarians and related institutions of higher learning. However, the exact same legislation sponsored by Rep. Baldwin last Congress ([H.R. 2999](#)) passed by a voice vote on September 30, 2010 at 12:59am.

Committee Action: H.R. 525 was introduced by Rep. Tammy Baldwin (D-WI) on February 8, 2011 and referred to the Committee on Energy and Commerce. The Subcommittee on Health held a markup of the bill on February 11, 2011 and forwarded it favorably to the full Committee by a voice vote. The full Committee [reported](#) the bill out by a voice vote on February 15, 2011.

Administration Position: There is no Statement of Administration Policy (SAP).

Cost to Taxpayers: The Congressional Budget Office (CBO) issued a cost estimate for H.R. 525 on February 25, 2011. The estimate stated that implementing H.R. 525 would have a negligible impact on federal spending over the next five years. Any additional spending would be subject to the availability of appropriated funds.

Does the Bill Expand the Size and Scope of the Federal Government?: While the bill does not authorize new funding, it expands the scope of grant and loan re-payment programs (created in Obamacare) to statutorily recognize veterinarians. The Committee report recognized that it is not clear if veterinarians’ participation in these two existing, federal programs is permitted. This bill would make clear that they are eligible.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 525 does not contain any intergovernmental or private-sector mandates. State and local governments, including public institutions of higher education that provide education and training in veterinary public health, would benefit from expanded eligibility authorized in the bill.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax

Benefits/Limited Tariff Benefits?: In compliance with clause 9(e), 9(f), or 9(g) of Rule XXI of the Rules of the House of Representatives, H.R. 525 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: The Constitutional Authority Statement published in the Congressional Record upon introduction of the bill states: “Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clauses 3 and 18 of the Constitution of the United States.”

RSC Staff Contact: Joe Murray, joe.murray@mail.house.gov, (202) 225-6168.
